

REFERENCE TITLE: extended school year; technical correction

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SB 1219

Introduced by
Senator Johnson

AN ACT

AMENDING SECTION 15-881, ARIZONA REVISED STATUTES; RELATING TO EXTENDED SCHOOL YEAR PROGRAMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-881, Arizona Revised Statutes, is amended to
3 read:

4 15-881. Extended school year services for pupils with
5 disabilities; eligibility and service structure;
6 definition

7 A. Each school district shall make extended school year services
8 available to all pupils with disabilities for whom such services are
9 necessary. Extended school year services are necessary if either of the
10 following applies:

11 1. The benefits that the pupil gained during the regular school year
12 would be significantly jeopardized if the pupil is not provided educational
13 services.

14 2. The pupil would experience severe or substantial regression if the
15 pupil is not provided educational services during recesses or the summer
16 months and the regression would result in substantial skill loss of a degree
17 and duration that would seriously impede the pupil's progress toward
18 educational goals.

19 B. The determination of whether a pupil is eligible for extended
20 school year services shall take into account the least restrictive
21 environmental considerations and shall be determined by a multifaceted
22 inquiry by the individualized education program team based on the following
23 criteria:

24 1. Retrospective data, such as past regression and the rate of
25 recoupment.

26 2. Predictive data, when empirical data is not available, THAT may be
27 proven by expert opinion, based on a professional individual assessment.

28 C. The state board of education shall ~~prescribe~~ ADOPT rules to carry
29 out the purposes of this section.

30 D. Rules that are adopted pursuant to subsection C of this section
31 shall clarify that attendance in the program is not compulsory, that the
32 program is not required for all pupils with disabilities and that eligibility
33 for participation in the program is not based on need or desire for any of
34 the following:

35 1. A day care or respite care service for pupils with disabilities.

36 2. A program to maximize the academic potential of pupils with
37 disabilities.

38 3. A summer recreation program for pupils with disabilities.

39 E. For the purposes of this section, "extended school year" means
40 additional special education and related services for pupils with
41 disabilities to supplement the normal school year which are provided as part
42 of a free and appropriate public education as defined in public law 94-142.